

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

FILED  
2009 APR -8 PM 12:44  
CLERK'S OFFICE  
WESTERN DISTRICT OF TEXAS  
BY DEPUTY  
Kw

HITUL GANDHI, Individually and on  
behalf of a class of others similarly  
situated

Plaintiff,

VS.

DELL, INC., and DELL MARKETING  
USA, L.P.

Defendants

CATHERINE L. DAVIS and TOMMY  
MOORE, Individually and on Behalf of  
Others similarly situated

Plaintiffs,

VS.

DELL, INC. d/b/a DELL COMPUTER,  
INC., a Delaware corporation, DELL USA  
L.P., a Texas Limited Partnership and  
DELL MARKETING L.P., a Texas  
Limited Partnership

Defendants

§ CAUSE NO. A-08-CA-248 JRN

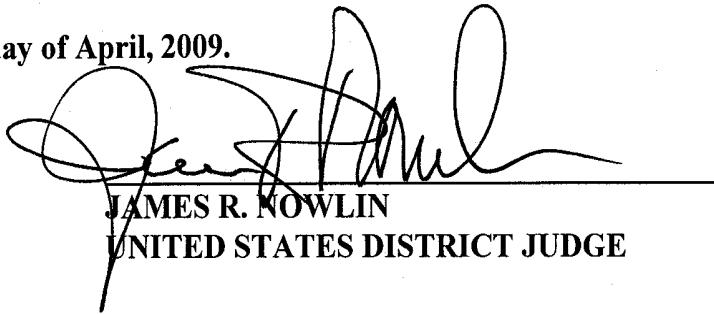
§  
§ CAUSE NO. A-08-CA- JRN  
§ (Consolidated)

ORDER

Before the Court in the above-entitled and styled cause of action is Plaintiff Hitul Gandhi's Motion to Certify Class and Memorandum in Support (Clerk's Dkt. No. 59); Defendants' Response in Opposition to Motion (Clerk's Dkt. No. 67); and Plaintiff Hitul Gandhi's Reply to Response to Motion (Clerk's Dkt. No. 69).

**IT IS HEREBY ORDERED** that the aforementioned Motion is **REFERRED** to United States Magistrate Judge Andrew W. Austin for Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), Federal Rule of Civil Procedure 72, and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, as amended.

SIGNED this 8<sup>th</sup> day of April, 2009.

  
JAMES R. NOWLIN  
UNITED STATES DISTRICT JUDGE